

REMARKS

In the August 21, 2007 Office Action, the specification was objected to and all of the claims stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the August 21, 2007 Office Action, Applicants have amended the specification (Title), amended independent claim 1 and cancelled claim 5 as indicated above. Thus, claims 1-4 and 6-10 are now pending, with claim 1 being the only independent claim. Reexamination and reconsideration of the pending claims are respectfully requested in view of the above amendments and the following comments.

Specification - Title

In paragraph 1 of the Office Action, the title is objected to because the original title is allegedly not descriptive, and a new title is suggested. In response, Applicants have amended the title to be more descriptive and to more closely correspond to the claims, as now amended. Specifically, the title has been rewritten as ROTARY COMPRESSOR WITH LOW PRESSURE SPACE SURROUNDING OUTER PERIPHERAL FACE OF COMPRESSION MECHANISM AND DISCHARGE PASSAGE PASSING THROUGH HOUSING. Applicants have not used the title suggested by the Examiner, because one suggested phrase "with swing bush coupling" is not found in some of the claims, and the "blade" is not particularly descriptive. Applicants have also filed a Supplemental Application Data Sheet herewith to change the title. If the Examiner objects to the new Title, another suggestion is respectfully requested.

Rejections - 35 U.S.C. § 102

In paragraphs 2-4 of the Office Action, claims 1-6 and 10 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,925,832 (Kitaura et al.). In response, this rejection is respectfully traversed, especially in view of the clarifying amendments to independent claim 1.

In particular, independent claim 1 now requires *a low pressure space communicating with a suction side of the compression mechanism* and a high pressure space communicating with a discharge side of the compression mechanism, *an outer peripheral face of the compression mechanism being surrounded by the low pressure space*. Clearly, this structure is *not* disclosed or suggested by the Kitaura et al. patent or any other prior art of record. Specifically, in the Kitaura et al. patent, the so-called low pressure space (29) does not communicate with the suction side of the compression mechanism (15). Rather, in the Kitaura et al. patent, "the suction pipe (19) passes through the so-called low pressure space (29) in an up-and-down direction and its internal end is fitted to the fixed scroll (24)." See column 7, lines 3-15 of the Kitaura et al. patent. Thus, the in the Kitaura et al. patent fails to disclose or suggest *a low pressure space communicating with a suction side of the compression mechanism with an outer peripheral face of the compression mechanism being surrounded by the low pressure space*, as set forth in independent claim 1. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference. Therefore, Applicants respectfully submit that claim 1, especially as now amended, is not anticipated by the prior art of record. Accordingly, withdrawal of this rejection of independent claim 1 and its dependent claims 2-4, 6 and 10 is respectfully requested.

Rejections - 35 U.S.C. § 103

In paragraphs 5-8 of the Office Action, claims 7-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Kitaura et al. patent in view of U.S. Patent No. 6,125,031 (Rydberg et al.). In response, this rejection is respectfully traversed, especially in view of the clarifying amendments to independent claim 1.

As mentioned above, independent claim 1 now requires *a low pressure space communicating with a suction side of the compression mechanism* and a high pressure space communicating with a discharge side of the compression mechanism, *an outer peripheral face of the compression mechanism being surrounded by the low pressure space*. Clearly, this structure is *not* disclosed or suggested by the Kitaura et al. patent, as explained above. The Rydberg et al. patent fails to account for this deficiency of the the Kitaura et al. patent. In fact, the Office Action relies on the Rydberg et al. patent to teach

features related to a blade, the manner in which the blade is coupled to a piston and the manner in which the piston is driven by the motor. In other words, the Rydberg et al. patent suffers from deficiencies similar to the Kitaura et al. patent with respect to independent claim 1, especially as now amended. Based on the above, even if the Rydberg et al. patent were somehow combined with the Kitaura et al. patent as suggested in the Office Action, such a hypothetical combination would fail to disclose or suggest all of the features of independent claim 1, especially as now amended. Accordingly, withdrawal of this rejection of claims 7-9, which depend from independent claim 1, is respectfully requested.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-4 and 6-10 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested. If there are any questions regarding this Amendment, please feel free to contact the undersigned.

Respectfully submitted,

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